

Sukhdev Kumar Vs. State of Punjab

**IN THE COURT OF RAMAN GOKLANEY, ADDITIONAL SESSIONS
JUDGE, GURDASPUR**

CIS No: BA-1454-2026

CNR No: PBGD01-003437-2026

Date of Order: 27.03.2026

Sukhdev Kumar @ Bedi son of Sunil Bedi, resident of House No.70, Gali No.1, Mohalla Balmik D Division Lahori Gate, Amritsar. (At present confined in Central Jail, Gurdaspur).

...Applicant/Accused

Versus

State of Punjab

...Respondent.

First bail application under Section 483 Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail.

FIR No.150 dated 01.10.2025 .

Under Sections : 111, 249, 253, 125 of BNS and 25 & 27 of Arms Act.

Police Station : Dera Baba Nanak.

Present : Sh. H.S. Janjua, Advocate, for applicant-accused.
Sh. Amit Singh Aulakh, Addl. Public Prosecutor for State.

ORDER:

1. This order would dispose of regular bail application filed under the provisions of Section 483 BNSS, 2023 in connection with FIR No. 150 dated 01.10.2025, under Section(s) 111, 249, 253, 125 of BNS and 25 & 27 of Arms Act, registered at Police Station Dera Baba Nanak, Police District Batala, District Gurdaspur.

2. This court noticed the facts of the case while deciding the bail application of co-accused Jaskaran as under:-

“The facts, in brief, necessary for disposal/consideration of the present bail application are that FIR in question registered in pursuant to the secret information received by SI Iqbal Singh

while he along with his police party was on patrol duty and were present near Fatehgarh Churian bye-pass in the area falling under jurisdiction of Police Station Dera Baba Nanak. The secret informer informed that Shamsher Singh @ Shera Maan proclaimed gangster operating from abroad along with his associates are involved in extortion, firing incidents and other criminal activities. It is alleged that mother of one of the member/ gangster Raja, namely Sharanjit Kaur and father of another member of gang (Sajan Masih) namely Shinda Masih @ Jhangi have been harboring/ giving shelter and facilitating the certain members of the said gang. It is further alleged that on the instigation of Shinda Masih/ applicant and co-accused Sharanjit Kaur, two unidentified persons fired gun shots outside the shop of one Dinesh Bobby at Dharamkot Randhawa. On these accusation, FIR in question was registered against 08 accused and other unknown persons. The members of Shamsher Singh @ Shera Maan gang, namely Sajan Masih son of Shinda Masih, Raja resident of Haruwal, Sarwan Singh @ Jeewan Fauji son of Harjinder Singh, Nishan Singh son of Avtar Singh, Jaswinder Singh @ Mannu son of Satnam Singh and Shamsher Singh @ Shera himself have also been, nominated in the FIR in question”.

3. Today, ASI Nand Lal, appeared alongwith police record and stated that FIR was initially registered against accused namely Shamsher Singh, Sajan Maish, Raja, Sarwan, Nishan Singh, Jaswinder Singh and Shinda Masih on the basis of secret information. Accused Jaswinder Singh and Shinda Masih were arrested on 02.10.2025. On the disclosure statement of accused Shinda Masih, accused namely Tushha was mominated vide DDR No.26 dated 02.10.2025, accused Lushba joined investigation on 20.10.2025. On the basis of secret information accused, Jaskaran Singh was nominated in the present case vide DDR No.17 dated 04.10.2025, accused Jaskaran Singh

was arrested on 05.10.2025. On the basis of disclosure statement of accused Jaskaran Singh accused namely Karandeep Masih was nominated vide DDR No.17 dated 05.10.2025, he was arrested on 06.10.2025. On the basis of disclosure statement of accused Karandeep Masih accused namely Rajbir Singh, Amritjit Singh, Balwinder Singh and Prince were nominated vide DIDR No.34 dated 07.10.2025. Accused Rajbir Singh was arrested on 08.10.2025. Accused Balvinder Singh was arrested on 03.11.2025. Accused Prince was arrested on 19.11.2025. Later on the basis of secret information accused-applicant Sukhdev Kumar was nominated in the present case vide DDR No.40 dated 15.12.2025 and he was arrested on 31.01.2026. The role of present accused/applicant is that he provided the persons to do recce of the shop of Dinesh Bobby out of whose shop the open fires were shot. There are total 16 accused in the present case till this stage, out of which 6 accused namely Shamsheer Singh, Raja, Sarvan Singh Nishan Singh, Jaswinder Singh and Amritjit Singh are yet to be arrested. Challan against 9 accused namely Karandeep Masih, Balwinder Singh, Rajbir Singh, Prince, Sharanjit Kaur, Shinda Masih, Lushba, Jaskaran Singh and Sajan Masih.)

4. Sh. H.S. Janjua, Advocate, appearing on behalf of accused-applicant submitted that nothing incriminating has come against accused-applicant. It is further argued that accused-applicant was arrested in the present case on 31.01.2026 and after his arrest, nothing incriminating has come against him. He next contended that co-accused in the present case namely Balwinder Singh, Prince and etc whose role are allegedly graver than that of present accused/applicant have already granted concession of regular

bail by this court. Learned counsel submitted that the case of the applicant is at better footing those who have granted concession of regular bail. It is further submitted that the conclusion of trial would take consequent long time and keeping the accused-applicant behind bars for indefinite period would not serve any purpose. Learned counsel next submitted that the investigation against the present accused/applicant is completed whereas challan against 9 accused have already been presented. With these submissions, regular bail of accused-applicant is sought for.

5. Per contra, Sh. Amit Singh Aulakh, Addl. Public Prosecutor for State submitted that accused-applicant has facilitated the recce and keeping in view the heinous nature of offence, he is not entitled to concession of regular bail.

6. After hearing the rival contentions of the parties and from the perusal of the record, it emerges out that present is the case of no injury. Accused-applicant was not named in the FIR. He was subsequently nominated in the FIR in question on the basis of secret information since 31.01.2026. The applicant alleged to have provided the persons who did recce of the movement of Dinesh Bobby. There is no direct accusation against the accused-applicant and the investigation of the case is almost complete and only formal challan is to be presented against the accused/applicant. The proof of accusation as levelled against accused-applicant would be debatable during the course of trial. The present case involve multiple accused and, as such, conclusion of trial would take considerable long time and keeping the accused-applicant behind bars for indefinite period would not serve any purpose. Keeping in view the custody of

Sukhdev Kumar Vs. State of Punjab

the accused/applicant and the alleged role attributed to him, the present bail application is allowed and accused-applicant is admitted to bail on his furnishing bail bonds/ surety bonds to the satisfaction of **Illaqa/Duty Magistrate** subject to the following conditions: -

- i. That applicant/accused shall not indulge in any activity similar to the activities on the basis of which aforesaid criminal case stood registered against him for the offences under the Act. State would be at liberty to apply for cancellation of bail, in case, statement made by learned counsel for applicant is factually incorrect.
- ii. That applicant/accused shall not undertake any action which is prejudicial to proceedings during the course of trial.
- iii. That applicant/accused shall attend all the dates during the trial unless prevented by any reasonable cause.
- iv. That applicant/accused neither personally nor through anyone make any attempt to influence the witnesses or tamper with the evidence.
- v. That applicant/accused shall not leave India without the prior permission of the Court.
- vi. The grant of bail is conditioned upon accused/applicant's diligent participation in the trial. This includes, but is not limited to, the timely cross-examination of witnesses and adherence to the Court's schedule. Failure to comply with these conditions, including any deliberate delay in proceedings may result in the cancellation of bail and the accused/applicant would be sent to judicial custody.

7. However, it is made clear that observations made herein above shall not be construed as an expression on the merits of the main case. Police record be returned and bail application file consigned to the record room.

Date of order:- 27.03.2026.

Gurpreet Singh, Stenographer-II

(Raman Goklaney)

UID No. PB-0687)

**Additional Sessions Judge,
Gurdaspur.**

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Sukhdev Kumar Vs. State of Punjab